

Comments – Docket 01-0539

Implementation of Section 13-712(g) of the Public Utilities Act

These comments are submitted on behalf of the following certificated Illinois telecommunications carriers (hereinafter “Joint Commentators”):

Gallatin River Communications L.L.C.

Madison River Long Distance Solutions, Inc.

Mehtel Integrated Communications Solutions L.L.C.

As active participants in the ILEC, CLEC, IX, ISP and DSL markets in Illinois, the Joint Commentators have a substantial interest in the development of fair and effective wholesale service quality rules contemplated in this Docket. Such rules should encourage the development of a competitive marketplace in Illinois without unduly burdening smaller carriers.

The Joint Commentators recommend that a “tiered” rule be developed with the first tier being the development of rules applicable to the two largest ILEC carriers and the second tier being the development of rules for all other ILECs in Illinois. The Joint Commentators recommend this procedure because the vast majority of competitive entry into the marketplace is occurring in the service areas of the two largest ILECs in Illinois. The Joint Commentators feel it is more important to develop and implement wholesale service quality rules on an expedited basis in areas of substantial competitive entry rather than in areas where little, if any, competitive entry is occurring.

In addition to differences in the extent of competitive entry, the Joint Commentators believe the largest two ILECs should be in first tier with all other ILECs in the second tier because it is the most “logical” dividing line based upon number of access lines. There is a very large difference in the number of access lines of the second largest ILEC compared to the third largest. The difference in the number of access lines between the third, fourth and fifth largest ILECs and all other ILECs is relatively small, in comparison. According to the Commission’s 2000 Annual Report on Telecommunications, the largest two carriers in Illinois serve approximately 91.4% of all access lines in Illinois.

The Joint Commentators further recommend that this proceeding be conducted in “phases” with the first phase being the development of wholesale service quality rules for the companies in the first tier. This procedure would allow the first phase to proceed on an expedited basis by eliminating from consideration the myriad of issues that will arise in any proceeding involving the smaller carriers which have had little, if any, competitive entry and who have very little experience dealing with such issues.